

## REMARKS

Claims 2, 16 and 18 have been amended in accordance with the Examiner's suggestions.

More particularly, in claim 2, 'contains' has been replaced by 'has'; and claims 16 and 18 have been amended to delete the phrase 'one of its variants and/or mutants' all as suggested by the Examiner for overcoming the rejections under 35 USC 112 second paragraph set forth on page 3 of the Action. Accordingly, such rejections have been clearly overcome and should be withdrawn.

While Applicants could readily amend claims 5-6, 8, 10-15 and 20-22 to avoid being dependent on a rejected claim and thereby overcome the objection set forth in the last paragraph on page 2 of the Action, they decline to do so at this time in view of the following traversal of the rejection under 35 USC 102 of claims 1-4, 7 and 9 set forth on pages 3-4 of the Action.

Indeed, that rejection, based solely on the disclosure of the cited Darby et al. reference, is hereby respectfully traversed because, inter alia, as a review of the disclaimer at the end of claim one shows, compound 37 of the reference upon which the Examiner relies for anticipation, is actually expressly excluded by the 'excluding' disclaimer at the end of claim 1. Further, the Darby et al reference discloses ist compound 37 merely as an intermediate in the synthesis of annulene derivatives, but not as being useful for the treatment of bacterial infections. Thus, the rejection under 35 USC 102 is untenable and should be withdrawn.

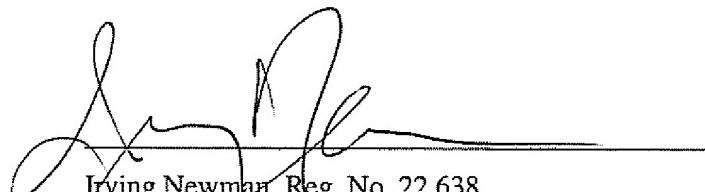
The Examiner's indication that claim 23 is allowable is appreciatively acknowledged.

## CONCLUSION

In view of the foregoing, favorable reconsideration and prompt Notice of Allowance are earnestly solicited

The Commissioner is hereby authorized to charge any fees that are due to this paper to

Deposit Account No. **18-1982** for Aventis Pharmaceuticals Inc., Bridgewater, NJ. Please credit any overpayment to Deposit Account No. **18-1982**.



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sanofi-aventis Docket No. DEAV2002/0046 US NP